

**AN ORDINANCE
BY COUNCILMEMBER MARY NORWOOD
AS SUBSTITUTED BY THE PUBLIC SAFETY
AND LEGAL ADMINISTRATION COMMITTEE**

05-O-0120

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, SUBDIVISION III, SECTION 10-109 (a) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA BY ADDING A NEW SUBSECTION (19) WHICH SHALL ALLOW FOR THE DENIAL, REVOCATION, SUSPENSION OR REFUSAL TO RENEW ANY ALCOHOLIC BEVERAGE LICENSE OR FOR THE ASSESSMENT OF A FINE IN REGARD TO ANY ALCOHOLIC BEVERAGE LICENSE, WHEN THE SALE OF ILLEGAL DRUGS TAKES PLACE ON THE LICENSED PREMISES WHERE THE LICENSEE, ITS AGENT OR ITS EMPLOYEES KNEW OR SHOULD HAVE KNOWN OF SUCH CONDUCT; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages in order to provide for the safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City wishes to hold alcoholic beverage licensees accountable for the sale of illegal drugs on the licensed premises.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

Section 1: Section 10-109 (a) of the Code of Ordinances of the City of Atlanta, Georgia is hereby amended by adding a new subsection (19), which subsection shall provide as follows:

(19) Permitting the sale of illegal drugs on the licensed premises where the licensee or the licensee's employee or agent knew or should have known of such conduct.

Section 2: This ordinance shall become effective January 1, 2006.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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AN ORDINANCE TO AMEND SECTION 10-109 (a) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA BY ADDING A NEW SUBSECTION (19) WHICH SHALL PROVIDE AS AN ADDITIONAL GROUND FOR THE DENIAL, REVOCATION, SUSPENSION OR REFUSAL TO RENEW ANY LICENSE OR FOR THE ASSESSMENT OF A FINE IN REGARD TO ANY LICENSE, CONVICTION FOR THE POSSESSION OR SALE OF ILLEGAL DRUGS WITHIN THE LICENSED PREMISES OR ANYWHERE ON THE PROPERTY WHERE THE LICENSED PREMISES IS LOCATED OR FOR AIDING, ABETTING OR ALLOWING THE SALE OF ILLEGAL DRUGS WITHIN THE LICENSED PREMISES OR ANYWHERE ON THE PROPERTY WHERE THE LICENSED PREMISES IS LOCATED; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

Section 1: Section 10-109 (a) of the Code of Ordinances of the City of Atlanta, Georgia is hereby amended by adding a new subsection (19) as an additional ground for the denial, revocation, suspension or refusal to renew any license or for the assessment of a fine in regard to any license, which subsection shall provide as follows:

(19) The conviction for the possession or sale of illegal drugs within the licensed premises or anywhere on the property where the licensed premises is located or for aiding, abetting or allowing the sale of illegal drugs within the licensed premises or anywhere on the property where the licensed premises is located.

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.